

DAGGETT COUNTY BOARD OF ADJUSTMENT MEETING AGENDA
Tuesday, June 27, 2017
1:00 P.M.
Daggett County Courthouse

Board Members Attending: Jack Lytle, Clyde Slaugh and Randy Asay

Other Persons Attending: James Fariello, Carrie Poulsen, Stew Leith, Hank Gutz, Alan & Wood, Darrin Brown of TriCounty Health Department, and Brian Raymond.

Board Chair Jack Lytle welcomed everyone at 1:04 pm and read the agenda for everyone;

1. **Discussion And Consideration Of Application by James Fariello:** Commissioner Lytle read the notice and turned over the time to Mr. Fariello. Mr. Fariello gave some background on himself and his use of the area and use of his land. He explained what he went through in building his house and the process of bringing in his Trophy Amish cabin. He stated that he gave some copies of a brochure about the cabins to Carrie Poulsen. And the cabin footprint was changed to keep it under the 200' requirement. About a month after putting the cabin in Mr. Fariello received a notification of violation and he thought that he had approval to do this. He thinks it a nice structure and adds taxes to the county. He has received a non-resident homestead exemption, which allows you protection on your property. The original notice of violation was not very specific, but he did receive further clarification from Commissioner Lytle. Mr. Fariello said that with three violations and each being \$1,000 per day, he couldn't keep up so he gave notice of potential suit to slow things down. He doesn't want to sue the county, but needed some breathing room. Mr. Fariello shared Black's Law regarding dwellings and also Utah State wildlife code allowing cabins for temporary use. He has since filed for this appeal to see what options are available. He thinks he and other people would like to use their land and enjoy the area. They would pay more taxes if allowed to improve their land and Daggett County needs all the taxes they can get. Mr. Fariello would like to see the County do something to allow Tiny Homes. He said very few Counties in the United States are Tiny Home friendly and he thinks that we have a great opportunity here to take advantage of this trend and become tiny home friendly. He has shuttered the cabin and wants to be able to store his toys while the County is trying to figure out what to do. Commissioner Lytle asked about power and Mr. Fariello said that he has generators that he uses and would like to hook up solar. Hooking up to regular power would cost him quite a bit and he would have monthly fees to pay and he stated that he wouldn't live long enough to make back his investment. Mr. Fariello said he has a separate shed that has a sink and uses a little bit of water. He said he only uses about 20 gallons of water per week in 5 gallon buckets for cleaning pots and pans and removes them when he goes back to Colorado. He really doesn't want to sue the County, but has a non-resident homestead and that gives certain rights. Mr. Lytle explained his definitions and understanding of the situation and his desire to work something out, but he doesn't see that the current laws are in Mr. Fariello's favor, but he is willing to continue looking at alternatives. There was discussion of camping and cabins and bag limits and definitions from DWR. Mr. Fariello asked about putting in a storage shed that was 10' x 20' and Mr. Lytle said he should be able to but he would probably have to get a permit, but Carrie Poulsen corrected him saying that if it was for storage and not dwelling it does not need a permit. Mr. Fariello is willing to send letters to every resident and Darrin Brown of Tri County Health said what is needed is for someone to spearhead it as contacting people has been tried before with little success. Stew Leith said that people don't always talk with each other in that area. Mr. Asay said that it is a problem when a subdivision is built and sold without having the needed improvements completed. Mr. Slaugh asked why they are allowed to sell only one lot, and Mr. Raymond said that originally there was supposed to be water and sewer. Hank Gutz said that it was originally supposed to be lake front property and the water rights for the property were lost. Mr. Lytle said that there are ways to get it to work, but it is not easy and he is willing to meet with people in Brown's Park, but Mr. Lytle said deviating from the rules or changing the rules is another issue in how do we do it fairly. Mr. Brown said that there was a moratorium placed on development in 2001 and 2005 was when the compromise came into being to allow building on 6 lots. Mr. Lytle asked Mr. Fariello if he had been heard and he said he felt comfortable with where things were at. He will take care of his property but understands that not everyone is like him. Darrin Brown said that he is willing to meet with any group of people from the area. Mr. Wood of Planning and Zoning said that the major issues that Planning and Zoning have been working on (Codification, RMP and short term rentals) are about wrapped up, so changes for Taylor Flat can be considered, but there are possibilities if we put our heads together we can come up with something. Mr. Lytle gave some ideas for doing something temporary for the properties while other options are being worked on. Tri County wants the residents to bring ideas forward and the county needs to participate as there all kinds of options that can be done including shared wells. After additional discussion from Planning and Zoning members Mr. Slaugh motioned to go with a stay on the violations for 6 months and try to work out a deal with Planning and Zoning and the people of Taylor Flats that will make this work better for everyone. Mr. Asay seconded the motion and all were in favor. The motion carried.
2. **Schedule a meeting to consider Applications from Stewart Leith and John Weaver:** Mr. Leith said he would like to have a variance to put the garage in front of his son's planned house. There was discussion

about the process of scheduling the meeting. The Board of Adjustment requires 30 days notice even though state code only requires 10 days notice. Dates were considered and options for changing our code were also discussed. It is problematic and should be made to conform with State Code.

Mr. Weaver has completed his application and gotten some notes from neighbors that are willing to allow him to do a smaller setback. Mr. Asay made the motion to schedule both applications for a meeting on the 8th of August at 10:00 am. Mr. Slauch seconded the motion and all were in favor. Motion carried.

3. Board of Adjustments Meeting adjourned at 2:30 pm